

REMARKS

In response to the above Office Action and the continued rejection of claims 5-7 under 35 U.S.C. §102(e) for being anticipated by Ash, claim 5 has been amended to recite preferred ranges of the weight ratio of the at least one zinc halide to the at least one metal salt other than said zinc halide(s) and the concentration of the zinc halide(s) in the solvent. Support for these ranges can be found on page 17, lines 16-19 and lines 19-25 of the specification.

In the Office Action, the Examiner continued to maintain that Ash anticipates claims 5-7 because in his opinion the reference teaches the use of an aqueous solution of a zinc halide and at least one metal salt other than a zinc halide (i.e., a lithium halide) as a solvent for a polyketone.

While applicants strongly dispute this for all the reasons of record because in their opinion, when the reference is read as a whole and all teachings therein are read in context, the reference only teaches the use of an aqueous solution of a zinc halide and an aqueous solution of a lithium halide as a solvent for a polyketone, not an aqueous solution of a zinc halide and a lithium halide, Ash clearly does not teach the claimed ratio of zinc halide to metal salt other than zinc halide in an aqueous solution of "98/2 to 20/80." The only thing that is taught is that the concentration of the salt in the solution, when it is "LiB or LiI" be greater than 56% or when it is "ZnCl₂," it be greater than 61%. Other concentrations are given for when the salt is ZnBr₂ or ZnI₂. See column 2, lines 37-67 of Ash.

There is no teaching of what the ratio of a zinc halide to a lithium halide should be in the aqueous solution. This, of course, is understandable because Ash never

teaches that the solvent could be an aqueous solution of a zinc halide and a lithium halide.

As noted by the Federal Circuit in *Motorola, Inc. v. Interdigital Tech. Corp.*, 121 F.3d 1461, 43 USPQ2d 1481 at page 1490 (Fed. Cir. 1997).

For a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in the prior art Although this disclosure requirement presupposes the knowledge of one skilled in the art of the claimed invention, that presumed knowledge does not grant a license to read into the prior art reference teachings that are not there. (Emphasis added)

See also M.P.E.P. §2131 where it states that:

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Since Ash does not disclose each and every element of claim 5, specifically the claimed weight ratio, neither it nor claim 6 dependent therefrom can be considered anticipated by Ash. Its withdrawal as a ground of rejection under 35 U.S.C. §102(e) is therefore requested.

The continued allowance of claims 1-3 is appreciated. However, it is believed claims 5 and 6 are also now allowable.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

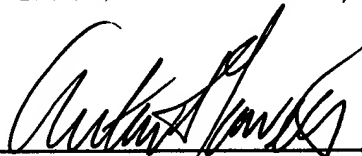
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: _____



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